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Commissioner for Patents
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April 16, 2007

APPEAL BRIEF

Dear Sir:

Attached herewith is an Appeal Brief pursuant to 35 U.S.C. §134 and 37 C.F.R. §41.37 for the above-identified patent application in support of a Notice of Appeal filed with the United States Patent and Trademark Office on February 21, 2007.

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I. REAL PARTY IN INTEREST

The real party in interest in the above-entitled application is Koninklijke Philips Electronics N.V., Eindhoven, NL.

II. RELATED APPEALS AND INTERFERENCES

The undersigned attorney/agent, the appellant, and the assignee are not aware of any related appeals or interferences that would directly affect, or be directly affected by, or have a bearing on the Board's decision in this pending appeal.

III. STATUS OF THE CLAIMS

Claims 1-9 and 11-21 are pending and are all on appeal. Claims 1-9, 11-15, and 17-21 stand rejected. Claim 16 has been deemed allowable.

IV. STATUS OF AMENDMENTS

Claim 11 was amended after the Final Rejection, and amendments to this claim were entered by the Examiner.

V. SUMMARY OF THE CLAIMED SUBJECT MATTER

Claim 1

Claim 1 is directed towards a system for browsing a collection of information units. The system includes a presentation means for presenting at least one of the information units in the collection via audio or video playback. (*See, inter alia*, page 5, lines 8-10; and Fig. 1, reference numerals 104 and 105). The system additionally includes attribute means for associating an information unit with an attribute value for a plurality of attributes. (*See, inter alia*, page 5, lines 6-8; and Fig. 1, reference numeral 102). A random selection means automatically and randomly selects and presents for playback a unit whose attribute value meets a criterion, wherein the selection and presentation for playback is made without

interaction by a user based on the plurality of attributes. (*See, inter alia*, page 1, line 25 – page 2, line 2; page 5, lines 8-16; and Fig. 1, reference numeral 103).

Claim 2

Claim 2 depends from claim 1, and requires that the system further includes a user-operable hold means for holding an attribute value of a currently selected unit as a criterion for subsequent selections. (*See, inter alia*, page 6, lines 16-28; and Fig. 2, reference numerals 206-209).

Claim 3

Claim 3 depends from claim 1, and relates to the determination of interdependencies of attributes given a particular value with respect to a first attribute. (*See, inter alia*, page 2, lines 22-24; and page 5, line 24 – page 6, line 2).

Claim 6

Claim 6 depends from claim 1, and requires that the system further includes a user-operable skip means for controlling the random selection means to abort the presentation of the currently selected unit and to skip to a randomly selected alternative unit whose attribute value meets said criterion. (*See, inter alia*, page 3, lines 1-9; page 8, lines 4-9; and Fig. 3, reference numeral 303).

Claim 11

Claim 11 recites a method of browsing a collection of information units. An information unit, such as a song, from a collection of information units is presented, and the information unit is associated with attribute value for an attribute. Given the attribute value, audio or video content is automatically and randomly selected and presented to the user (from the collection of information units), wherein attribute values of the audio or video content

meet a criterion for the attribute of the presented information unit. (See, *inter alia*, page 5, lines 6-16; and page 1, line 25 – page 2, line 2).

Claim 12

Claim 12 depends from claim 11, and recites that the method of claim 11 further comprises a step of user operably holding an attribute value of a currently selected unit as a criterion for subsequent selections. (See, *inter alia*, page 6, lines 16-28).

Claim 14

Independent claim 14 recites a system for browsing a collection of information units. The recited system includes attribute means for associating information units with an attribute value for a plurality of attributes and with at least one mutually independent attribute value. (See, *inter alia*, page 5, lines 6-8; and Fig. 1, reference numeral 102). The system further includes random selection means for randomly selecting at least one information unit to a presentation means for playing said at least one information unit, where an attribute value for said at least one information unit meets a criterion. (See, *inter alia*, page 1, line 25 – page 2, line 2; page 5, lines 8-16; Fig. 1, reference numeral 103; page 5, lines 8-10; and Fig. 1, reference numerals 104 and 105). The system additionally includes user-operable hold means for holding an attribute value of a currently selected unit as a criterion for subsequent selections wherein holding said mutually independent attribute value will not affect a state of another attribute value. (See, *inter alia*, page 6, lines 16-28; and Fig. 2, reference numerals 206-209).

Claim 15

Claim 15 depends from claim 14 and requires that the random selection means selects and sends without interaction by a user. (See, *inter alia*, page 5, lines 24-26).

Claim 17

Claim 17 depends from claim 14 and recites that the system further includes user-operable skip means for controlling the random selection means to abort the presentation of the currently selected unit and to skip to a randomly selected alternative unit whose attribute value meets said criterion in dependence on a mode of operation of said skip means. (*See, inter alia*, page 3, lines 1-9; page 8, lines 4-9; and Fig. 3, reference numeral 303).

Claim 21

Independent claim 21 recites a system for browsing a collection of information units, such as multimedia units. The system includes attribute means for associating a respective one of said information units with an attribute value for a plurality of attributes. (*See, inter alia*, page 5, lines 6-8; and Fig. 1, reference numeral 102). The system additionally includes random selection means for automatically and randomly selecting a unit (e.g., song) whose attribute value meets a criterion and sending the selected unit for playback by a playback device, wherein the selection and sending is made without interaction by a user and is based on the plurality of attributes. (*See, inter alia*, page 1, line 25 – page 2, line 2; page 5, lines 8-16; and Fig. 1, reference numeral 103).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

Whether claims 18 and 20 fail to comply with the written description requirement of the first paragraph of 35 U.S.C. §112.

Whether claims 1-5, 9, 11-15, and 21 are anticipated under 35 U.S.C. §102(b) by Cluts (US 5,616,876).

Whether claims 6-8 and 17-20 are unpatentable under 35 U.S.C. §103(a) over Cluts in view of Dunning, *et al.* (US Patent Application No. 2003/0229537).

VII. ARGUMENTS

A. The Rejection of Claims 18 and 20 Under 35 U.S.C. §112, First Paragraph

Claims 18 and 20 stand rejected under 35 U.S.C. §112, First Paragraph as failing to comply with the written description requirement. Reversal of this rejection is respectfully requested, as the specification contains a written description of the manner and process of making and using the invention to enable a person skilled in the art to make and use the invention.

Claims 18 and 20 recite *wherein the mode of operation of said skip means is selected from the group consisting of frequency of skip means operation and duration of skip means operation*. Examples of frequency of skip means operation are described at page 3, lines 21-23: “pressing the skip button a second time shortly after the first time to remove a criterion for an ‘artist’ attribute, pressing three times to remove criteria for both the ‘artist’ and the ‘style’ attribute...” An example of duration of skip means operation is described at page 3, lines 23-24: “pressing for one second to remove criteria for the ‘artist’, the ‘style’, and ‘genre’ attributes...”

The Examiner notes that the terms “frequency” and “duration” do not appear in the specification.¹ It is noted that use of exact terms between the specification and the claims is not required under the first paragraph of 35 U.S.C. §112 – rather, a written description that enables a person skilled in the art to make and use the invention is the requirement. The Examiner additionally differentiates a mode of operation and a mechanism for selecting a mode of operation.² This difference is not germane as to whether at least the referenced portions of the specification (provided above) enable one of ordinary skill in the art to make and use the invention. It is respectfully submitted that at least the aforementioned portions of the specification meet the requirements of 35 U.S.C. §112, first paragraph. Accordingly, reversal of this rejection is respectfully requested.

¹ Final Office Action, page 19

² Final Office Action, page 20

B. The Rejection of Claims 1-5, 9, 11-15, and 21 Under 35 U.S.C §102(b)

Claims 1-5, 9, 11-15, and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cluts. Reversal of this rejection is respectfully requested, as Cluts fails to disclose each and every element recited in these claims.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claims 1, 11, and 21

Claim 1 requires, *inter alia*, *attribute means for associating a respective one of said information units with an attribute value for a plurality of attributes, wherein the system comprises random selection means for automatically randomly selecting and presenting for playback a unit whose attribute value meets a criterion, the selection and presentation for playback being made without interaction by a user based on the plurality of attributes.*

Claims 11 and 21 recite similar elements.

Cluts teaches the selection of music based upon subjective content of the music.³ More particularly, Cluts discloses that a subscriber can select a song on the basis of title, album, and artist, and the subscriber can also select a playlist, which is a predetermined collection of songs.⁴ Cluts additionally teaches a “more like” function that identifies more music that is similar to the subscriber’s current selection.⁵ This is accomplished through the use of “style tables”, which are described as tools for classifying each song’s subject content.⁶ In accordance with the teachings of Cluts, a style table can be defined for each artist, wherein

³ Cluts, column 2, lines 31-32

⁴ Cluts, column 4, lines 44-49

⁵ Cluts, column 4, lines 49-51

⁶ Cluts, column 14, lines 39-41

the style table includes any number of style categories and weights assigned to each of the categories. An example style table provided in Cluts is reproduced below.

<u>Artist: The Beatles</u>	
<u>Style Category</u>	<u>Weight</u>
1960s	1
1970s	1
British Invasion	7
Rock	5
Pop	5
Innovators	6

A qualitative scale of closeness determines the degree of similarity between the subjective content of the subscriber's current selection (the seed song) and the songs that will be chosen by the "more like" function, wherein a style slider allows the subscriber to determine the closeness of the match.⁷ A random sort is performed on songs selected by the "more like" function, and a subset of the sorted songs are presented to a user.⁸ The user then decides whether one or more of the presented songs are to be included in a current playlist by selecting a "yes" button (songs are added to the playlist), a "no" button (songs are not added to the playlist), or a "more style" button (songs are re-sorted and presented to the user).⁹

Cluts also discloses a style EQ function, where a user is presented with several indicators or faders.¹⁰ Each fader is assigned to a particular style of music that is included in the current playlist.¹¹ The user can then adjust the mix of songs that is played from the

⁷ Cluts, column 16, lines 6-10

⁸ Cluts, column 18, lines 51-54

⁹ Cluts, column 18, lines 58-col. 19, line 11

¹⁰ Cluts, column 20, lines 33-35

¹¹ Cluts, column 20, lines 36-40

playlist – thus, if a user does not like a particular style of song that is included in the playlist, a fader assigned to that style can be moved by the user to a lowest position.¹²

It is submitted, however, that Cluts is silent with respect to *random selection means for automatically randomly selecting and presenting for playback a unit whose attribute value meets a criterion, the selection and presentation for playback being made without interaction by a user based on the plurality of attributes* as recited by claim 1. Again, claims 11 and 21 recite similar elements.

To support this rejection, the Examiner cites column 18, lines 51-54 of Cluts. As described above, however, this portion of Cluts teaches the random sorting and presentation of songs that are identified by the “more like” function, wherein the songs are presented so that the user can determine whether they are to be added to a current playlist.¹³ Thus, assuming *arguendo* that the user decides to add the songs to a current playlist, such addition is not random and is clearly not without interaction by a user. Rather, the user selects a “yes” button to add the songs to the playlist. Still further, in contrast to the Examiner’s assertions, adding songs to a playlist is substantially different than selection and presentation for playback as claimed, and as this claimed aspect is a distinguishing feature between the subject claims and the disclosure of Cluts, should be provided patentable weight. This distinction is illustrated by the example provided in Cluts where the style EQ function is described. Specifically, Cluts teaches that a fader can be positioned to prevent the playing of songs in a playlist that are of a certain style.¹⁴ Accordingly, per the teaching of Cluts, songs in a playlist are not necessarily presented for playback to a user.

The Examiner additionally cites to portions of Cluts that describe the style EQ function as disclosing the aforementioned claim aspects. The style EQ function allows a user to adjust a mix of songs that is played from a playlist by changing the position of faders – this requires user action, which is in direct contrast to the required elements of these claims.

¹² Cluts, column 20, lines 53-58

¹³ Cluts, column 18, lines 51-54

¹⁴ Cluts, column 20, lines 53-58

Still further, with respect to the “more like” function disclosed in Cluts, each song is located based on a weight value of a single category, and not *based on a plurality of attributes* as required by the claim. Cluts teaches that a style table for an artist can include a plurality of style categories, and that each style category is assigned a weight.¹⁵ Referring to the example style table provided above, the Beatles are assigned six different style categories, with each of the style categories being assigned a weight (wherein a high weight indicates a close relationship between an artist and a style category). A user may select a Beatles song, and thereafter choose to implement the “more like” function. According to Cluts, the user may then use a style slider to select a level of similarity between the selected Beatles song and other songs.

In an example, the user may set the style slider to the number six. As a result, style categories of the current song are analyzed to locate which style categories have been assigned a weight of six or greater. Using the Beatles style table, the categories of British Invasion and Innovators have a weight of six or greater. Subsequently, a search of other style tables is undertaken to locate style tables that include the British Invasion style category with a weight of six or greater OR the Innovators style with a weight of six or greater. Songs corresponding to the located style tables are then placed in a song list and such list is presented to the user.¹⁶ There is no disclosure in Cluts with respect to locating style tables or presenting songs in a list of songs based upon a combination (plurality) of style categories. Continuing with the example, while another style table may include the style categories of British Invasion and Innovators with a weight of six or greater, the location of such style table and subsequent presentation of songs corresponding thereto is not *based upon* the combination (a plurality of style categories). Instead, it is based upon the existence of either British Invasion with a weight of six or greater or Innovators with a weight of six or greater (a single style category).

¹⁵ Cluts, column 14, lines 44-50

¹⁶ Cluts, column 18, lines 10-50

Moreover, in the Advisory Action, the Examiner asserts that the style EQ function disclosed in Cluts is analogous to portions of the instant specification. It is submitted that locating portions of Cluts that may be analogous to portions of the instant specification is not the test to determine patentability – rather, the cited reference must disclose each and every element recited in the claims. As Cluts fails to disclose at least the aforementioned claimed aspects, reversal of the rejection of these claims is respectfully requested.

Claim 14

Claim 14 recites, *inter alia, random selection means for randomly selecting at least one information unit based on said plurality of attributes and sending said at least one information unit to a presentation means for playing said at least one information unit... and user operable hold means for holding an attribute value of a currently selected unit as a criterion for subsequent selections wherein holding said mutually independent attribute value will not affect a state of another attribute value.*

As noted above, Cluts is deficient of any suggestion of randomly selecting a song and sending the song for playing. Rather, as disclosed in Cluts, the user must actively state that a song or songs be added to a playlist, and it is clear that user selection of a song or songs is not random. Additionally, adding a song to a playlist is quite different from playing an information unit (song).

Cluts additionally fails to disclose user operable hold means as claimed. As described in the instant specification and as reflected in the claims, a currently playing song may have several mutually independent attributes, one of which may be nationality of a performer, and the user may wish to place a “hold” on such attribute so that subsequently presented songs have performers with the same nationality as the performer of the currently playing song.¹⁷ In support of this anticipation rejection, the Examiner cites the “more like” function that has been briefly described *supra*. It is to be appreciated that the “more like” function merely

¹⁷ Specification page 6, line 29-page 7, line 3

allows a user to be presented with songs for approval that are more (or less) like the style of a particular artist as defined in the style table. According to Cluts, a song is selected and then a “more like” button on a graphical user interface is depressed. Enacting the “more like” functionality results in songs with some selectable degree of similarity to the artist of a currently selected song to be provided to a user for acceptance. The use of the “more like” functionality is not *user operable hold means for holding an attribute value of a currently selected unit as a criterion for subsequent selections wherein holding said mutually independent attribute value will not affect a state of another attribute value* as claimed. Rather, the user is given no opportunity to hold any sort of attribute prior to using the “more like” functionality.

The Examiner additionally notes that administrative information, such as title, artist, or album is associated with a song.¹⁸ While this may be true, Cluts is deficient with respect to *holding* the values of these attributes for subsequent selections. In other words, there is no disclosure in Cluts of an ability to *hold* an artist attribute to require subsequent selections to be created by the same artist as the artist of the currently selected song. Additionally, the instant specification notes that the attributes of artist and album are interdependent, and not *mutually independent* as required by this claim. More specifically, in an example, holding an album attribute for a Beatles’ album necessarily requires the artist attribute to be held. Given the above, reversal of the rejection of this claim is respectfully requested.

Claims 2 and 12

Claim 2 recites *said system comprising user-operable hold means for holding an attribute value of a currently selected unit as a criterion for subsequent selections*. Claim 12 recites similar aspects. As noted above, Cluts discloses a “more like” function that presents songs that are in some way similar to a currently selected song, but is silent with respect to holding an attribute value of the currently selected unit.

¹⁸ Final Office Action, page 8

Claim 3

Claim 3 depends from claim 1 and recites *said attribute value being defined with respect to a first attribute, said attribute means being adapted to determine a set of valid attribute values for a further attribute dependence on said criterion*. Thus, claim 3 relates to determining interdependency between a first attribute (given a first value) and a further attribute. Cluts is silent with respect to these claimed aspects.

Cluts allows a user to subjectively classify style of an artist – thus, a user may simultaneously categorize an artist as being a “Heavy Metal” artist and a “Jazz” artist, and may assign weights to each categorization. The weight assigned to “Heavy Metal”, however, is independent of the weight assigned to “Jazz”, since they are entirely subjective (e.g., the assignation of a high weight value to “Heavy Metal” has no affect on the weight value of “Jazz”). The portions of Cluts cited by the Examiner indicate that a playlist entitled “Rock” may include songs by artists that are assigned different categorizations of rock, and such categorizations may be indicated on a fader.¹⁹ It is submitted that the title of the playlist, however, has no bearing on the subcategories or weights thereof, and thus the subcategories and assigned weights are not dependent upon the title of the playlist. The Examiner additionally cites a portion of Cluts that describes a playlist with every song in the world, where the fader labels would be assigned broad categories. The fader labels, however, are not attributes of information units. Moreover, the weights of categories assigned to artists are independent of the faders. Therefore, Cluts fails to disclose each and every element as recited in this claim.

Claim 15

Claim 15, which depends from claim 14, recites *wherein said random selection means selects and sends without interaction by a user*. As discussed above, Cluts discloses that a song is selected, and thereafter a “more like” functionality is invoked that presents a list of

¹⁹ Cluts, column 20, lines 33-44

songs to a user that are in some way similar to the selected song. The user then is provided the opportunity to review the songs, and if the user approves of the songs, may thereafter add the presented list of songs to a playlist. It is clear, then, that prior to a song being played, the user has reviewed and approved such song. This clearly constitutes user interaction, which is in direct contrast to the claims.

Claims 4, 5, 9, and 13

These claims are believed to be allowable at least by virtue of their dependencies on their respective base claims.

C. The Rejection of Claims 6-8 and 17-20 Under 35 U.S.C. §103(a)

Claims 6-8 and 17-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Cluts in view of Dunning, *et al.* Reversal of this rejection is respectfully requested, as Cluts and Dunning, *et al.*, alone or in combination, fail to teach or suggest each and every element as recited in these claims.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, *there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings.* Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. (MPEP §2142) (Emphasis added). The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claims 6 and 17

Dunning, *et al.* relates to discovery of relationships among items and recommendation of items based upon the discovery of the relationships.²⁰ Dunning, *et al.* teaches that relationships among items can be discerned based upon content of user profiles, leading to generation of recommendations that are likely to be of interest to the user, thereby further leading to improved marketing and ad targeting as well as greater credibility and utility of a recommender system.²¹

Claim 6 depends from claim 1, and recites *the system further comprising user-operable skip means for controlling the random selection means to abort the presentation of the currently selected unit and to skip to a randomly selected alternative unit whose attribute value meets said criterion.* Claim 17 requires similar aspects.

The Examiner concedes that Cluts fails to teach the requisite skip means and cites Dunning, *et al.* to remedy the deficiency. As described above, Cluts discloses a system in which randomly sorted songs are listed by title and artist. A user may then accept or reject the list of songs by selecting a particular button. As alleged by the Examiner, Dunning, *et al.* discloses a skip function which aborts the presentation of a currently selected unit and skips to a randomly selected alternative unit. The Examiner further asserts that the motivation for combination is that the user may not enjoy the song being presented.

Assuming (without conceding) that the above characterization of Dunning, *et al.* is accurate, there is no suggestion or motivation to combine the references as suggested by the Examiner. More particularly, Cluts lists identified songs in a tabular form for acceptance by the user, with accepted songs being added to a playlist. As characterized by the Examiner, Dunning, *et al.* teaches that the user may abort the song during playback and skip to a random, new song, again for playback. Thus, for example, a listerner may be listening to a particular song – if the user decides that he or she doesn't like the song well enough to listen to the entirety of the song, the listener may decide to skip the song, in which case a new song

²⁰ Dunning, *et al.*, Abstract

²¹ Dunning, *et al.*, paragraph [0042]

is played. As will be appreciated, it would make little or no sense to apply Dunning's playback skip function to Cluts' tabular list of songs as suggested by the Examiner.

Additionally, even if so combined, the combination of Cluts and Dunning, *et al.* fails to teach or suggest each and every limitation of claims 6 and 17 for at least the reasons discussed above in connection with their respective base claims.

Claims 7, 8, and 18-20

These claims are believed to be allowable at least by virtue of their dependencies from their respective base claims.

VIII. CONCLUSION

In view of the foregoing, it is submitted that claims 1-9 and 11-21 distinguish patentably and non-obviously over the prior art of record, and reversal of the rejection of claims 1-9 and 11-21 is respectfully requested.

Respectfully submitted,
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IX. CLAIM APPENDIX

1. A system for browsing a collection of information units, comprising presentation means for presenting at least one of said information units via audio or video playback, and attribute means for associating a respective one of said information units with an attribute value for a plurality of attributes, wherein the system comprises random selection means for automatically randomly selecting and presenting for playback a unit whose attribute value meets a criterion, the selection and presentation for playback being made without interaction by a user based on the plurality of attributes.
2. A system as claimed in claim 1, said system comprising user-operable hold means for holding an attribute value of a currently selected unit as a criterion for subsequent selections.
3. A system as claimed in claim 1, said attribute value being defined with respect to a first attribute, said attribute means being adapted to determine a set of valid attribute values for a further attribute in dependence on said criterion.
4. A system as claimed in claim 3, said first attribute representing a genre of said information units and said further attribute representing a sub-genre of said information units.
5. A system as claimed in claim 1, said information units comprising audio and/or video information.
6. A system as claimed in claim 1, the system further comprising user-operable skip means for controlling the random selection means to abort the presentation of the currently selected unit and to skip to a randomly selected alternative unit whose attribute value meets said criterion.

7. A system as claimed in claim 6, said skip means being capable of removing at least one criterion in dependence on a mode of operation of said skip means.
8. A system as claimed in claim 7, said removing of said criterion being determined by an iterated and/or prolonged operation of said skip means.
9. A system as claimed in claim 1, the attribute means being adapted to determine a distance between a pair of attribute values, the random selection means being capable of selecting a unit from units whose attribute values are different from attribute values of an earlier selected unit.
10. A system as claimed in claim 1, the system comprising display means for displaying a simulation of a slot machine having at least one column comprising a plurality of randomly selectable attribute values, wherein each of the at least one column corresponds to an attribute, and activation means for activating the random selection of an attribute value in at least one of the at least one column, an operation of said simulated slot machine representing said random selection, and each cylinder of said slot machine representing a set of valid attribute values for an attribute.
11. A method of browsing a collection of information units, comprising a step of presenting an information unit from said collection and a step of associating a respective information unit with an attribute value for at least one attribute, wherein the method comprises a step of automatically randomly selecting and presenting, without interaction by a user, audio or video media content of a unit from said collection of information units whose attribute values meet a criterion for said at least a first attribute.
12. A method as claimed in claim 11, further comprising a step of user operably holding an attribute value of a currently selected unit as a criterion for subsequent selections.

13. A computer program product for causing a programmable device, when executed on said device, to constitute a system as claimed in claim 1.
14. A system for browsing a collection of information units, comprising:
 - attribute means for associating information units with an attribute value for a plurality of attributes and with at least one mutually independent attribute value;
 - random selection means for randomly selecting at least one information unit based on said plurality of attributes and sending said at least one information unit to a presentation means for playing said at least one information unit, where an attribute value for said at least one information unit meets a criterion; and
 - user-operable hold means for holding an attribute value of a currently selected unit as a criterion for subsequent selections wherein holding said mutually independent attribute value will not affect a state of another attribute value.
15. A system according to claim 14, wherein said random selection means selects and sends without interaction by a user.
16. (Cancelled).
17. A system according to claim 14, the system further comprising user-operable skip means for controlling the random selection means to abort the presentation of the currently selected unit and to skip to a randomly selected alternative unit whose attribute value meets said criterion in dependence on a mode of operation of said skip means.
18. A system as claimed in claim 17, wherein the mode of operation of said skip means is selected from the group consisting of frequency of skip means operation and duration of skip means operation.

19. A system as claimed in claim 17, said skip means being capable of removing at least one criterion in dependence on a mode of operation of said skip means.
20. A system as claimed in claim 19, wherein said mode of operation of said skip means is selected from the group consisting of frequency of skip means operation and duration of skip means operation.
21. A system for browsing a collection of information units, comprising attribute means for associating a respective one of said information units with an attribute value for a plurality of attributes, wherein the system comprises random selection means for automatically randomly selecting a unit whose attribute value meets a criterion and sending the selected unit for playback by a playback device, the selection and sending being made without interaction by a user based on the plurality of attributes.

X. **EVIDENCE APPENDIX**

None.

XI. RELATED PROCEEDINGS APPENDIX

None known to undersigned attorney/agent.